

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

CAROLYN GREENE, on behalf of herself )  
and all others similarly situated, )

Plaintiff, )

v. )

BIOPURE CORPORATION, THOMAS )  
A. MOORE, CARL W. RAUSCH, and )  
RONALD F. RICHARDS, )

Defendants. )

Civil Action No. 1:03-CV-12628 (NG)

JOHN G. ESPOSITO, JR., on behalf of )  
himself and all others similarly situated, )

Plaintiff, )

v. )

BIOPURE CORPORATION, THOMAS )  
A. MOORE, CARL W. RAUSCH, and )  
RONALD F. RICHARDS, )

Defendants. )

Civil Action No. 1:04-CV-10013 (NG)

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**MOTION TO CONSOLIDATE ACTIONS,  
TO BE APPOINTED LEAD PLAINTIFFS AND FOR APPROVAL OF LEAD  
PLAINTIFFS' SELECTION OF LEAD COUNSEL AND LIAISON COUNSEL**

JOSEPH L. KING, on behalf of himself )  
and all others similarly situated, )

Plaintiff, )

v. )

Civil Action No. 1:04-CV-10038 (NG)

BIOPURE CORPORATION, THOMAS )  
A. MOORE, CARL W. RAUSCH, and )  
RONALD F. RICHARDS, )

Defendants. )

MICHAEL E. CRIDEN, individually and )  
on behalf of all others similarly situated, )

Plaintiff, )

v. )

Civil Action No. 1:04-CV-10046 (NG)

BIOPURE CORPORATION, THOMAS )  
A. MOORE, and CARL W. RAUSCH, )

Defendants. )

ISRAEL SHURKIN and SHARON )  
SHURKIN, individually and on behalf of )  
all others similarly situated, )

Plaintiff, )

v. )

Civil Action No. 1:04-CV-10055 (NG)

BIOPURE CORPORATION, THOMAS )  
A. MOORE, and CARL W. RAUSCH, )

Defendants. )

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JAMES J. NIZZO, VIRGINIA C. NIZZO, )  
and CARLO CILIBERTI, on behalf of )  
themselves and all others similarly situated, )

Plaintiff, )

v. )

Civil Action No. 1:04-CV-10065 (NG)

BIOPURE CORPORATION, THOMAS )  
A. MOORE, CARL W. RAUSCH, and )  
RONALD F. RICHARDS, )

Defendants. )

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BARRY BROOKS, on behalf of himself )  
and all others similarly situated, )

Plaintiff, )

v. )

Civil Action No. 1:04-CV-10077 (NG)

BIOPURE CORPORATION, THOMAS )  
A. MOORE, CARL W. RAUSCH, and )  
RONALD F. RICHARDS, )

Defendants. )

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ANASTASIOS PERLEGIS, individually )  
and on behalf of all others similarly )  
situated, )

Plaintiff, )

v. )

Civil Action No. 1:04-CV-10078 (NG)

BIOPURE CORPORATION, THOMAS )  
A. MOORE, CARL W. RAUSCH, and )  
RONALD F. RICHARDS, )

Defendants. )

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MARTIN WEBER, on behalf of himself )  
and all others similarly situated, )

Plaintiff, )

v. )

Civil Action No. 1:04-CV-10090 (NG)

BIOPURE CORPORATION, THOMAS )  
A. MOORE, CARL W. RAUSCH, and )  
RONALD F. RICHARDS, )

Defendants. )

BRUCE HAIMS, individually and on )  
behalf of all others similarly situated, )

Plaintiff, )

v. )

Civil Action No. 1:04-CV-10144 (NG)

BIOPURE CORPORATION, THOMAS )  
A. MOORE, CARL W. RAUSCH, and )  
RONALD F. RICHARDS, )

Defendants. )

MODEL PARTNERS LIMITED, )  
individually and on behalf of all others )  
similarly situated, )

Plaintiff, )

v. )

Civil Action No. 1:04-CV-10155 (NG)

BIOPURE CORPORATION, THOMAS )  
A. MOORE, CARL W. RAUSCH, and )  
RONALD F. RICHARDS, )

Defendants. )

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JUNE E. PATENAUDE, individually and  
on behalf of all others similarly situated,

Plaintiff,

v.

BIOPURE CORPORATION, THOMAS  
A. MOORE, CARL W. RAUSCH, and  
RONALD F. RICHARDS,

Defendants.

Civil Action No. 1:04-CV-10179 (NG)

NANCY L. PINKNEY and GERTRUDE  
PINCKNEY, individually and on behalf of  
all others similarly situated,

Plaintiff,

v.

BIOPURE CORPORATION, THOMAS  
A. MOORE, and CARL W. RAUSCH,

Defendants.

Civil Action No. 1:04-CV-10189 (NG)

W. KENNETH JOHNSON, on behalf of  
himself and all others similarly situated,

Plaintiff,

v.

BIOPURE CORPORATION, THOMAS  
A. MOORE, CARL W. RAUSCH, and  
RONALD F. RICHARDS,

Defendants.

Civil Action No. 1:04-CV-10190 (NG)

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GREGORY KRUSZKA, on behalf of )  
himself and all others similarly situated, )

Plaintiff, )

v. )

Civil Action No. 1:04-CV-10202 (NG)

BIOPURE CORPORATION, THOMAS )  
A. MOORE, CARL W. RAUSCH, and )  
RONALD F. RICHARDS, )

Defendants. )

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PLEASE TAKE NOTICE that class members Neil & Susan Fineman, Michael Navilio, Robert Powell and Edward P. Collins (collectively, the "Biopure Lead Plaintiff Group"), by their counsel, hereby move this Court, for an Order: (i) appointing the Biopure Lead Plaintiff Group as lead plaintiffs; (ii) approving the Biopure Lead Plaintiff Group's selection of the law firms of Schiffrin & Barroway, LLP and Cauley Geller Bowman & Rudman, LLP to serve as lead counsel; (iii) approving the Biopure Lead Plaintiff Group's selection of the law firm of Gilman and Pastor, LLP to serve as liaison counsel; and (iv) granting such other and further relief as the Court may deem just and proper. In support of this motion, the Biopure Lead Plaintiff Group submits herewith a memorandum of law and declaration of David Pastor.

Dated: March 1, 2004.

Respectfully submitted,

**GILMAN AND PASTOR, LLP**

By: \_\_\_\_\_

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**Proposed Liaison Counsel**

## **CERTIFICATE OF SERVICE**

I Hereby Certify That A True Copy of  
The Above Document Was Served Upon  
The Attorney Of Record For Each Other

Party By Mail (By Hand) On 3/1/04

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